

07.12.2021.
80.
as
(Rejected)

C.R.M. 7959 of 2021

In Re:- An application for bail under Section 439 of the Code of Criminal Procedure in connection with N.D.P.S. Case No.81 of 2019 arising out of Palashipara P.S. Case No.190 of 2019 dated 22.08.2019 under Sections 20(b)(ii)(c) of the NDPS Act.

In the matter of : Rasid Sk & Ors.

... Petitioners.

Mr. Prabir Majumder.

...for the Petitioners.

Mr. Antarikhya Basu,
Mr. Bibaswan Bhattacharya.

...for the State.

Heard the learned Counsels appearing on behalf of the parties.

Petitioners are in custody for about 855 days. It is submitted that they have been falsely implicated in the instant case.

The learned Advocate appearing for the State opposes the prayer for bail.

Statements of witnesses including the contemporaneous document i.e. seizure memo discloses recovery of 21 kgs. of ganja from the possession of the petitioners.

In view of the aforesaid facts and in the light of the statutory restrictions under Section 37 of the N. D. P. S. Act, we are not inclined to grant bail to the petitioners.

Accordingly, the prayer for bail of the petitioners is rejected.

However, we request the trial court to expedite the trial and conclude the same within one year from the next date fixed for recording evidence without granting unnecessary adjournment.

(Bivas Pattanayak,J.)

(Joymalya Bagchi, J.)